

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MARCO GONZALEZ,)	
)	
Plaintiff,)	
)	
v.)	No. 08 C 3718
)	
ABBOTT LABORATORIES,)	
)	
Defendant.)	

MEMORANDUM ORDER

Abbott Laboratories ("Abbott") has filed a motion for summary judgment in this employment discrimination action filed against it by its ex-employee Marco Gonzalez ("Gonzales"). Appointed counsel Cecil Porter III (Gonzalez originally proceeded pro se, but he then properly demonstrated his entitlement to pro bono publico representation by a member of this District Court's trial bar) has provided Gonzales with thorough and vigorous representation, but nothing that he was able to develop during the course of discovery was sufficient to overcome Abbott's showing that Gonzalez had violated Abbott's preexisting policy as to employee conduct was applied in a discriminatory fashion or was otherwise suspect, even with all reasonable favorable inferences being drawn in Gonzalez' favor.

Accordingly Gonzalez has failed at the threshold level of establishing a prima facie case--he has failed to demonstrate a genuine issue of material fact as to whether he was meeting Abbott's legitimate requirements for someone in his position.

That being the case, Abbott is entitled to a judgment as a matter of law. This action is dismissed.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

Milton I. Shadur
Senior United States District Judge

Date: July 24, 2009